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26389 7590 10/15/2008 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347				
EXAMINER				
RANGREJ, SHEETAL				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/685,290

Applicant(s)

DAVIES ET AL.

Examiner

SHEETAL R. RANGREJ

Art Unit

3686

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 25-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI-108)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Prosecution History Summary

- Claims 1-23 and 25-33 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 and 25-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanby et al. (U.S. Patent 7,143,051) in view of Hele et al. (U.S. Publication No. 2002/0116231).

3. As per claim 1, Hanby teaches a method for online processing of a life insurance application, comprising:

- a. Receiving information via an electronic data communications link that identifies an individual to be insured and describes the insurability of the individual (**Hanby: column 3, lines 62-63; column 4, lines 65-67**).
- b. Generating an illustration that provides details of a proposed life insurance policy that may be issued by an insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-2**).

- c. Obtaining a commitment from the insurance policy applicant for purchase of a life insurance policy in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-3; col. 4, 3-18; figure 6A, 222**).
- d. Receiving a certification via an electronic data communications link that confirms whether the generated illustration was delivered to the insurance policy applicant at the time of commitment for purchase of the insurance policy (**Hanby: col. 6, 59-67**).

Hanby does not teach Wherein the certification includes at least one of:

- (a) a certification from the insurance policy applicant in which the applicant explicitly confirms that the generated illustration has been received;
- (b) a certification from an agent in which the agent explicitly confirms that the generated illustration has been delivered electronically to the insurance policy applicant;
- (c) a certification from an agent in which the agent explicitly confirms that the generated illustration has been provided to the insurance policy applicant via a postal or courier service.

Hele teaches Wherein the certification includes at least one of: (a) a certification from the insurance policy applicant in which the applicant explicitly confirms that the generated illustration has been received (**Hele: para. 143**); Examiner interprets that receiving a signed copy is the same as receiving a certification that explicitly confirms the generated illustration has been delivered.

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that it provides the completion of a sale of an insurance policy (**Hele: para. 69**).

4. As per claim 2, the method of claim 1 is as described above. Hanby further teaches in which the certification is received at the time the commitment for purchase of the life insurance policy is obtained (**Hanby: column 7, lines 29-31**). In light of the specification, the examiner interprets that certification is received when the approval letter is done.

5. As per claim 3, the method of claim 1 is as described above. Hanby does not teach in which the commitment for purchase of the life insurance policy is obtained by receiving an authorization for electronic funds transfer for payment of a premium of insurance policy.

Hele teaches which the commitment for purchase of the life insurance policy is obtained by receiving an authorization for electronic funds transfer for payment of a premium of insurance policy (**Hele: para. 12; para. 16**).

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that requests for insurance quotes are typically processed on paper through a sales office and then sent to a corporate office resulting in time delays, multiple requests for information, and the increased risk of error in collecting or processing information (**Hanby: col. 1, 30-35**).

6. As per claim 4, the method of claim 1 is as described above. Hanby further teaches in which the certification is received from the insurance policy applicant and confirms receipt of the illustration at the time of commitment for purchase of the insurance policy (**Hanby: column 9,**

lines 8-9). In light of the specification, the examiner interprets that the transmission of documents is done instantaneously where if it were not received, the person generating the proposal would be notified.

7. As per claim 5, the method of claim 1 is as described above. Hanby further teaches in which the certification is received from an agent of the insurance provider and confirms that the illustration was provided to the insurance policy applicant at the time of the commitment for purchase of the insurance policy (**Hanby: column 9, lines 8-9**).

8. As per claim 6, the method of claim 5 is as described above. Hanby further teaches in which the agent's certification confirms that the illustration was provided electronically to the insurance policy applicant (**Hanby: column 6, lines 59-62**).

9. As per claim 7, the method of claim 5 is as described above. Hanby further teaches in which the agent's certification confirms that the illustration was provided through postal or courier deliver (**Hanby: column 6, lines 59-62**).

10. As per claim 8, the method of claim 1 is as described above. Hanby further teaches in which the certification is received from the insurance policy applicant and confirms that no illustration was delivered at the time of commitment for purchase and requests that the illustration be delivered at the time the insurance policy is delivered (**Hanby: column 9, lines 64-67**).

11. As per claim 9, the method of claim 1 is as described. Hanby does not teach further teaches issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual to be insured according to the life insurance policy,

accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance coverage that is extended to the individual pending issuance of the purchased insurance policy.

Hele teaches further teaches issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual to be insured according to the life insurance policy, accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance coverage that is extended to the individual pending issuance of the purchased insurance policy (**Hele: para. 14**).

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that the invention streamlines the process of comparing multiple carriers by recommending an insurance plan tailored to an individual's circumstances and lifestyle, therefore insurance products can be modified if the plan does not best suit the individual's needs (**Hele: para. 0043**).

12. As per claim 10, Hanby teaches a method for online processing of a life insurance application, comprising:

- a. Receiving information via an electronic data communications link that identifies an individual to be insured and describes the insurability of the individual, wherein the information includes health information of the individual (**Hanby: column 3, lines 62-63; column 4, lines 65-67**).

- b. Obtaining a commitment for purchase of a life insurance policy to be issued by an insurance provider in accordance with parameters of the life insurance application
(Hanby: column 4, lines 1-3);

Hanby does not teach a method for online processing of a life insurance application, comprising:

- c. Evaluating the health information of the individual;
- d. Determining whether to extend temporary insurance coverage to the individual based on an evaluation of the health information of the individual;
- e. If it is determined to extend temporary insurance coverage to the individual, then issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual according to the life insurance policy, accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance that is extended to the individual pending issuance of the purchased insurance policy; and
- f. If it is determined to not extend temporary insurance coverage to the individual, then refusing to collect a premium for the life insurance policy and not extending temporary insurance coverage to the individual.

Hele teaches a method for online processing of a life insurance application, comprising:

- c. Evaluating the health information of the individual (Hele: para. 109);

d. Determining whether to extend temporary insurance coverage to the individual based on an evaluation of the health information of the individual (Hele: para. 112-113; para. 130);

e. If it is determined to extend temporary insurance coverage to the individual, then issuing via an electronic data communications link a temporary insurance certificate that is personalized for the individual according to the life insurance policy, accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance that is extended to the individual pending issuance of the purchased insurance policy (Hele: para. 14 and para. 152); and

f. If it is determined to not extend temporary insurance coverage to the individual, then refusing to collect a premium for the life insurance policy and not extending temporary insurance coverage to the individual (Hele: para. 130).

Motivation to combine the teachings is the same as claim 9.

13. As per claim 11, the method of claim 10 is as described above. Hanby does not explicitly teach further comprising receiving information via an electronic data communications link from a third party that confirms the identification of the individual to be insured, in which the third party is a trusted person having a capacity to confirm the identification of the individual.

Hele teaches further comprising receiving information via an electronic data communications link from a third party that confirms the identification of the individual to be insured, in which the third party is a trusted person having a capacity to confirm the identification of the individual (Hele: para. 15; 36).

Motivation to combine the teachings is the same as that of claim 9.

14. As per claim 12, the method of claim 11 is as described above. Hanby does not teach in which the trusted person is an agent of the insurance provider.

Hele teaches in which the trusted person is an agent of the insurance provider (**Hele: para. 36**).

Motivation to combine the teachings is the same as that of claim 9.

15. As per claim 13, the method of claim 10 is as described above. Hanby does not teach further comprising receiving information via an electronic data communications link from a third party that confirms the identification of the individual to be insured, in which the third party confirms the identification of the individual by accessing an electronic database and verifies the identification of the individual based on information in the electronic database.

Hele teaches further comprising receiving information via an electronic data communications link from a third party that confirms the identification of the individual to be insured, in which the third party confirms the identification of the individual by accessing an electronic database and verifies the identification of the individual based on information in the electronic database (**Hele: para. 35-37**).

Motivation to combine the teachings is the same as that of claim 9.

16. As per claim 14, the method of claim 10 is as described above. Hanby does not teach in which the personalized temporary insurance certificate includes information identifying the individual, information identifying the insurance policy to be issued to the individual, and the amount of insurance coverage provided by the temporary life insurance agreement.

Hele teaches in which the personalized temporary insurance certificate includes information identifying the individual, information identifying the insurance policy to be issued to the individual, and the amount of insurance coverage provided by the temporary life insurance agreement (**Hele: para. 152**).

Motivation to combine the teachings is the same as that of claim 9.

17. As per claim 15, Hanby teaches a method for online processing of a life insurance application, comprising:

- a. Receiving information via an electronic data communications link that identifies the individual to be insured and describes the insurability of the individual (**Hanby: column 3, lines 62-63; column 4, lines 65-67**);
- b. Obtaining a commitment from the insurance policy applicant for purchase of a life insurance policy to be issued by an insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-3**).

Hanby does not teach (c) receiving an authorization via an electronic data communications link that authorizes immediate collection of medical history information from one or more third parties concerning the individual to be insured for purposes of issuing the life insurance policy, in which the authorization is received in connection with obtaining the commitment for purchase of the life insurance policy.

Hele teaches (c) receiving an authorization via an electronic data communications link that authorizes immediate collection of medical history information from one or more third parties concerning the individual to be insured for purposes of issuing the life insurance policy,

in which the authorization is received in connection with obtaining the commitment for purchase of the life insurance policy and if the commitment for purchase of the life insurance policy is not obtained, the authorization for collection of medical history information is canceled (Hele: para. 62-63; 137-142). Examiner interprets that the commitment to purchase is the same as the user selecting the insurance carriers it wants to receive quotes from; furthermore if the user has not picked any insurance carriers, the information from third parties is not collected since it can't create a quote.

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Hanby and Hele with the motivation that an individual must consider requirements such as lifestyle, needs, and future circumstances when selecting insurance coverage. In addition, he must educate himself on available products, and survey the vast market of insurance carriers in order to find the best-valued insurance product. **(Hele: para. 42)**

18. As per claim 16, the method of claim 15 is as described above. Hanby does not teach the authorization is received as a result of an agent of the insurance provider receiving authorization from the life insurance applicant and submitting the life insurance application to the insurance provider via an electronic data communications link.

Hele teaches the authorization is received as a result of an agent of the insurance provider receiving authorization from the life insurance applicant **(Hele: para. 67)** and submitting the life insurance application to the insurance provider via an electronic data communications link **(Hele: para. 68-69).**

The motivation to combine the teachings is the same as claim 15.

19. As per claim 17, the method of claim 15 is as described. Hanby does not teach the authorization is received as a result of the life insurance applicant initiating an electronic submission that acknowledges the authorization.

Hele teaches the authorization is received as a result of the life insurance applicant initiating an electronic submission that acknowledges the authorization (**Hele: para. 67; i.e. web server**).

The motivation to combine the teachings is the same as claim 15.

20. As per claim 18, the method of claim 15 is as described above. Hanby does not teach the authorization is received prior to obtaining the commitment for purchase of the life insurance policy.

Hele teaches the authorization is received prior to obtaining the commitment for purchase of the life insurance policy (**Hele: para. 67-68**).

The motivation to combine the teachings is the same as claim 15.

21. As per claim 19, the method of claim 15 is as described. Hanby does not teach in which the authorization is received after obtaining the commitment for purchase of the life insurance policy.

Hele teaches in which the authorization is received after obtaining the commitment for purchase of the life insurance policy (**Hele: para. 65-67**).

The motivation to combine the teachings is the same as claim 15.

22. As per claim 20, the method of claim 15 is as described. Please see remarks of claim 9.

23. As per claim 21, Hanby teaches a computer system for online processing of a life insurance application, comprising an application processing server configured with computer-implemented instructions that, when executed, cause the application processing server to:
-receive information via an electronic data communications link (**Hanby: column 3, lines 60-67**); In light of the specification, the examiner interprets the “QE module” to be the same as an application processing server), identifying an individual to be insured and describing the insurability of the individual (**Hanby: column 3, lines 62-63**);
-generate an illustration providing details of a life insurance policy for the individual to be insured;
-obtain a commitment for purchase of the life insurance policy to be issued by an insurance provider (**Hanby: column 4, lines 1-3; col. 4, 3-18; figure 6A, 222**).

Hanby does not teach receive a certification via an electronic data communications link from the insurance policy applicant or an agent providing explicit information indicating whether the generated illustration was delivered to the insurance policy applicant at the time of commitment for purchase of the insurance policy.

Hele teaches receive a certification via an electronic data communications link from the insurance policy applicant or an agent providing explicit information indicating whether the generated illustration was delivered to the insurance policy applicant at the time of commitment for purchase of the insurance policy (Hele: para. 143).

Motivation to combine the teachings is the same as that of claim 9.

24. As per claim 22, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to receive information via an electronic data communications link from an agent of the insurance provider confirming that the identification of the individual to be insured has been verified (**Hanby: column 5, lines 1-14**).

25. As per claim 23, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to automatically confirm identification information of the individual to be insured by requesting verification from a third party based on an external electronic database maintained by the third party (**Hanby: column 5, lines 1-14**). In light of the specification, the examiner interprets the validation process to be done by a third party due to the information being accessed to a database that is not local but external from the client's network.

26. As per claim 24, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to generate an illustration providing details of a proposed life insurance policy that may be issued by the insurance provider in accordance with parameters of the life insurance application (**Hanby: column 4, lines 1-2; column 9, lines 4-5**), and receive a certification via an electronic data communications link confirming whether the generated illustration was delivered to the insurance policy applicant at the time of commitment for purchase of the insurance policy (**Hanby: column 9, lines 5-10**). In light of the specification, the examiner interprets that the documents are transferred instantaneously, therefore if it was not delivered, the client would send a message to the insurance provider stating it did not receive the documents.

27. As per claim 25, the system of claim 21 is as described above. Hanby further teaches the personalized temporary insurance certificate includes information identifying the individual to be insured (**Hanby: claim 1C**), information identifying the insurance policy to be issued to the individual (**Hanby: column 6, lines 12-22**), and the amount of insurance coverage provided by the temporary life insurance agreement (**Hanby: column 5, lines 40-65**).

Hanby does not explicitly teach wherein the application processing server is further configured to issue via the electronic data communications link a temporary insurance certificate that is personalized for the individual according to the life insurance policy and accompanied by a temporary life insurance agreement specifying terms of legally binding temporary life insurance that is extended to the individual pending issuance of the purchased insurance policy (**Hele: para. 14; 58; 76; 152**).

The motivation to combine the teachings is the same as claim 9.

28. As per claim 26, the system of claim 21 is as described above. Hanby further teaches the application processing server is further configured to receive an authorization via an electronic data communications link (**Hanby: column 7, lines 53-56; column 8, lines 5-11**) that authorizes the insurance provider to immediately begin collecting medical history information from one or more third parties concerning the individual to be insured (**Hanby: column 4, lines 65-67**) for purposes of issuing the life insurance policy.

29. As per claim 27, the system of claim 26 is as described above. Hanby further teaches the application processing server receives the authorization (**Hanby: column 7, lines 53-56; column 8, lines 5-11**) in connection with obtaining the commitment for purchase of the life insurance

policy (**Hanby: column 4, lines 1-3**). In light of the specification, the examiner interprets that in collecting the commitment for purchase, the client is aware that it is authorizing the insurance provider.

30. As per claim 28, the system of claim 21 is as described. Claim 28 recite substantially similar limitations as those already addressed in claim 1, and, as such, are rejected for similar reasons as given above.

31. As per claims **29-33**, they are system claims which repeat the same limitations of claims **15-19**, the corresponding method claims, as a collection of elements as opposed to a series of process steps. Since the teachings of **Hanby and Hele** disclose the underlying process steps that constitute the methods of claims **15-19**, it is respectfully submitted that they provide the underlying structural elements that perform the steps as well. As such, the limitations of claims **29-33** are rejected for the same reasons given above for claims **15-19**.

Response to Arguments

32. Applicant's arguments with respect to claims 1-23 and 25-33 have been considered but are moot in view of the new ground(s) of rejection.

33. With regard to claim 15, applicant argues that Hele fails to teach "receiving an authorization via an electronic data communications link that authorizes immediate collection of medical history information from one or more third parties concerning the individual to be insured for purposes of issuing the life insurance policy, in which the authorization is received in connection with obtaining the commitment for purchase of the life insurance policy and if the commitment for purchase of the life insurance policy is not obtained, the authorization for

collection of medical history information is canceled." Applicant points out that Hele is concerned with assessing risk before providing the user a quote, so any "authorization" that Hele obtains is not "received in connection with obtaining [a] commitment. Examiner disagrees and provides support in the rejection above.

Conclusion

34. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEETAL R. RANGREJ whose telephone number is (571) 270-1368. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/SRR/
Patent Examiner
October 14, 2008

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